

Remarks

It is respectfully requested that claims 1 - 8 be reconsidered for allowance in view of this Amendment and these Remarks. Allowance of claims 9 - 11 is gratefully acknowledged.

Page 14 and the "Assignment" thereon is cancelled.

Claims 1 and 7 were rejected under 35 U.S.C. § 102(b) as being anticipated by Boe et al. ('527). Claim 1 has been amended to clarify that the transducer generates a lever position signal representing a position of the command lever. Thus, amended claim 1 recites a hitch control system with an operator-movable spring-centered command lever, and a transducer for generating a lever position signal representing a position of the command lever. This is supported by Fig. 1 which shows command lever 34 and transducer 35.

In contrast, in Boe et al. the only spring-centered device is raise/lower switch 80. But switch 80 is merely a three-position switch. Switch 80 is not a command lever. Furthermore, there is no position sensing transducer associated with switch 80 - there are merely switch contacts 82 and 84. Thus, Boe et al. does not show a spring-centered command lever as recited in claim 1.

Also in contrast, Boe et al. shows a command lever 52 and the spring centered three-position raise/lower switch 80 - see Fig. 4. There is no suggestion in Boe et al. that command lever 52 is spring-centered. It must be assumed that command lever 52 is a conventional non-spring-centered command lever. This is exactly the type of conventional non-spring-centered command lever which is discussed in the background of the present Application, and over which the present invention is an improvement.

It appears that the Examiner is confusing a hitch control system command lever with a mere raise/lower switch. In a hitch control system a hitch command lever is used by the operator to vary a control system set point representing a desired level of draft force or hitch position, or a mixture thereof. In contrast, a raise/lower switch is used merely to raise a hitch to a upper maximum position and to lower the hitch to a lower maximum position - not to set a variable control system set point. There is no spring-centered command lever in Boe et al. Thus, it is believed that amended claim 1 should be allowed.

Claim 7 should be allowed because it depends from allowable amended claim 1.

Claim 1 was also rejected under 35 U.S.C. § 102(b) as being anticipated by Easton et al. ('775). This rejection is respectfully traversed for the following reasons. Claim 1 recites a hitch control system which includes a hitch for integrally attaching an implement thereto, a spring-centered command lever, an actuator for raising and lowering the hitch in response to a valve command signal, a sensor for generating a parameter signal representing a parameter of the hitch, and a control unit generating a hitch command signal.

In contrast, Easton shows merely a spring-centered control lever assembly. Easton does not show a hitch control system. Easton does not show a hitch control system. Easton does not show a hitch for integrally attaching an implement thereto. Easton does not show an actuator for raising and lowering the hitch. Easton does not show a sensor for generating a parameter signal representing a parameter of the hitch. Easton does not show a control unit generating a hitch command signal. Thus, this rejection should be withdrawn.

Claim 8 was rejected under 35 U.S.C. § 102(b) as being anticipated by Rutledge et al. ('219). This rejection is respectfully traversed for the following reasons. Claim 8 recites a hitch control system which includes a sensor, a command lever and a control unit. In contrast, Rutledge shows merely a controller for a pointing device such as a computer joystick. Rutledge does not show a hitch control system. Rutledge does not show a hitch for integrally attaching an implement thereto. Rutledge does not show an actuator for raising and lowering the hitch. Rutledge does not show a sensor for generating a parameter signal representing a parameter of the hitch. Rutledge does not show a control unit generating a hitch command signal. Thus, this rejection should also be withdrawn.

Claim 2 was rejected under 35 U.S.C. § 103 as being unpatentable over Boe et al. in view of Rutledge et al. This rejection is respectfully traversed for the following reasons. Applicant respectfully submits that the Examiner has failed to advance a prime facie case of obviousness. Applicant submits that the Examiner has inappropriately applied Rutledge et al. The Examiner does not give a valid motivation for applying the teachings of Rutledge et al. outside the field of computer pointing devices. The Examiner does not explain how computer cursor velocity control is applicable to a hitch control system.

Furthermore, even if these references are combined, the resulting combination does not teach or suggest the subject matter of claim 2. Claim 2 recites "the control unit modifies the valve command signal by a predetermined magnitude in response to momentary deflection of the command lever to one of the deflected positions, said magnitude being independent of an amount and duration of deflection of the command lever if the duration is not more than a predetermined duration". In contrast, Rutledge controls the velocity of a computer screen cursor at a constant value when a second predetermined range of force is applied to a pointing device. There is no mention in Rutledge of a "momentary deflection". Claim 2 does not involve sensing a force on a lever or a pointing device. It is respectfully requested that this rejection be withdrawn.

Claim 3 was rejected under 35 U.S.C. § 103 as being unpatentable over Boe et al. in view of Gregerson '622. This rejection is respectfully traversed for the following reasons. Claim 3 recites "the control unit modifying the valve command signal and moving the hitch at a rate proportional to a magnitude of the displacement of the command lever from the centered position". In contrast, in Gregerson (as described in col. 3, lines 11-13) the hitch arm 24 moves to a position proportional to the position of control lever 32. It is believed that Gregerson does not teach or suggest moving the hitch at a rate proportional to a magnitude of the displacement of the command lever, as recited in claim 1. Without any support, the Examiner appears to incorrectly suggest that a rate of movement is the same as a position. Thus, claim 3 is not unpatentable over Boe et al. in view of Gregerson '622, and this rejection should be withdrawn.

Claims 4 - 6 were rejected under 35 U.S.C. § 103 as being unpatentable over Boe et al. in view of Ostler et al. '365. This rejection is respectfully traversed for the following reasons. First, claims 4 - 6 should be allowed because they depend from allowable claim 1.

In addition, applicant respectfully submits that the Examiner has failed to advance a prime facie case of obviousness. Applicant submits that the Examiner has inappropriately applied Ostler et al. Ostler relates to a control lever for controlling "auxiliary equipment". Ostler states in col 1, lines 30-33, "The attachments can be referred to as "auxiliary" equipment since they are typically connected to a vehicle to perform a particular job, and then disconnected when the job is complete". In contrast, Boe et al relates to and claim 1 recites "hitch control

system for a vehicle having a hitch for integrally attaching an implement thereto". There is no suggestion in Ostler to apply the Ostler design to a hitch control system of an integral hitch. The Examiner does not give a valid motivation for applying the teachings of Ostler et al. to the integral hitch control system of Boe et al.

Furthermore, Boe et al shows a hitch control system with a conventional non-spring-centered hitch command lever wherein a system set point is represented by the position of the command lever. In such a system, to maintain a desired set point, the command lever must remain in a desired position for long periods. Yet, the Ostler control lever 40 is centered by a centering spring 188 (see col. 7, lines 24-26). Thus, Boe actually teaches away from using a spring-centered command lever, because if the command lever were spring-centered, then an operator would be burdened with continuously and accurately holding the command lever in a displaced position.

In conclusion, it is believed that this application is in condition for allowance, and such allowance is respectfully requested.

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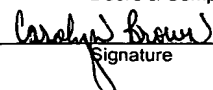
Respectfully,


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